

**CITY OF ROCKVILLE LONG RANGE PLANNING DIVISION
STAFF REPORT**

October 7, 2004

SUBJECT:

Map Amendment Application MAP2004-00091

Applicant: Mayor and Council of Rockville
111 Maryland Avenue
Rockville, Maryland 20850

Planning Commission Review Date: October 13, 2004
Mayor and Council Public Hearing: November 1, 2004

REQUEST:

This application is a Sectional Map Amendment that is intended to rezone portions of the Town Center Planning Area based on the recommendations in the Town Center Master Plan. Sectional Map Amendments are defined by Section 25-116 of the Zoning Ordinance as covering a section of the City, portions of which may be classified in different zones.

BACKGROUND:

The Mayor and Council adopted the Town Center Master Plan on October 22, 2001. Within that document, several recommended changes to the Zoning Map were included in order for the Plan's recommendations to be realized. The processing and adoption of a Map Amendment application to change the zones will implement these recommendations.

DISCUSSION:

The Map Amendment as proposed would accomplish the renaming of the Town Center zones from TCO-1, TCO-2, TCM-1 and TCM-2 to TC-1, TC-2, TC-3 and TC-4 respectively, which was a recommendation of the Town Center Master Plan. Note that any zoning changes east of the Metro/CSX tracks will be brought forward via the zoning recommendations contained in the East Rockville and Lincoln Park Neighborhood Plans.

Approximately 12.66 acres will be rezoned from the TCO-1 Zone to the TC-1 Zone, and are located generally along the west side of North Washington Street between Jefferson Street and Martins Lane. Approximately 14.55 acres along the east side of Hungerford Drive between Baltimore Road and the Archstone development will be rezoned from the TCO-2 Zone to the TC-2 Zone. Approximately 26.45 acres near the Rockville Metro station will be rezoned from the TCM-2 Zone to the TC-4 Zone, while approximately 25.73 acres will be zoned from the TCM-1 Zone to the TC-3 Zone. It should be noted that, given the new property boundaries and street rights-of-way that have recently been created as a result of the Town Square project, staff

recommends that the zone boundary follow Maryland Avenue extended. Property to the west of Maryland Avenue will be located in the TC-3 Zone rather than being split-zoned, a situation that should be avoided where possible. This will result in a reduction in the amount of land in the TC-4 Zone compared to what had been in the TCM-2 Zone.

In addition to the renaming, several properties will be rezoned to different zones. These include rezoning 10.42 acres, generally along the west side of North Washington Street and Hungerford Drive between Martins Lane and Ivy League Lane, from the C-2 to TC-1 Zone. The west side of the Rockville Metro station is proposed to be rezoned from the TCO-2 Zone to the TC-4 Zone.

The following is a discussion of specific sites to be rezoned:

Fleet Street properties

The Town Center Master Plan recommended that the property located on the south side of Fleet Street, between Maryland Avenue and Monroe Street, be rezoned from the R-90 (One Family Detached, Restricted Residential) to the R-30 (Multiple Family, Low Density Residential) Zone. This would allow construction of townhouses or low-density multifamily structures on the site per the land use recommendations of the Plan.

The property is currently owned by the Montgomery County government, and contains nine former residences that have been used by the County for office space or other needs. The County has begun the disposition process, and the Housing Opportunities Commission (HOC) has expressed interest in developing residential units in the R-30 Zone. Given the surrounding uses, including City Hall and the County Council Office Building parking garage and the Emergency Communications Center, use of the property as single-family detached homes is not desirable. However, because of nearby single-family homes further south on Monroe Street, and the adjacent Courthouse Walk townhouse community, townhouse or low-density multifamily dwellings would make an appropriate transitional use between the non-residential and residential uses that surround the property. It should be noted that an unimproved 55-foot-wide right-of-way for Mt. Vernon Place separates this property from the Courthouse Walk community, providing an opportunity for a substantive buffer between that community and any new development on the property should it occur.

Jerusalem Mt. Pleasant Church properties

The church itself is listed in the National Register of Historic Places, and the church and adjacent parsonage are within the West Montgomery Avenue Historic District. However, the church building is located in the R-60 Zone, while the parsonage and former shelter are located in the TCO-1 Zone. The remainder of church-owned property is in the O-2 Zone and fronts on Beall Avenue. These parcels are contiguous, yet are in three separate zones.

The Town Center Master Plan recommended that the Jerusalem Mt. Pleasant Church property be rezoned to the O-2 Zone in order to remove the condition that church property is within three zones. Unfortunately, the text amendment that created the C-T Zone also prohibited subdivision

for the purpose of assembling properties for redevelopment. The accompanying Text Amendment includes language that would exempt properties like the existing Jerusalem Church properties from this restriction, provided that the assembled land is limited in size to 40,000 square feet total. In order to simplify any future site improvements to the property, the Town Center Master Plan recommends that all of the parcels be zoned O-2.

39 West Montgomery Avenue

In the Comprehensive Map Amendment that was approved in August 2003, a total of 21 properties were rezoned from the O-2 Zone to the C-T (Commercial Transition) Zone. These properties meet the intent of the new zone, which is meant to apply to those existing structures that were formerly single family residences and have been converted to office use through previous implementation of the O-2 Zone. The purpose of the C-T Zone is to distinguish these properties from other office structures that were built for office use under the O-2 development standards, and that will remain in the O-2 Zone.

39 West Montgomery Avenue was considered for rezoning at the time of the Comprehensive Map Amendment, but was removed from consideration due to comment from the property owner that the C-T Zone would be restrictive on future use and potential additional development of the site. The property was removed from the map amendment in order to allow the owner to consider options, and staff discussions indicate that the owner is considering developing a second lot. Staff therefore recommends that the property be included for rezoning to C-T, with the possibility that adjustments may be made in the future to allow the portion of the property that contains the Anderson House to be rezoned to the C-T, with the remainder being rezoned to C-T.

107 South Washington Street

In order to accommodate the expansion plans of the Christ Episcopal School, the rectory property is recommended for rezoning to the R-90 Zone. A portion of the current school crosses the zone boundary, and this would allow the school to be in the R-90 Zone. Although the rectory property was rezoned from the O-2 Zone to the C-T Zone last year as part of the Comprehensive Map Amendment, this action should have no practical effect on the rectory use.

Notification

Although individual notification is not required for a comprehensive map amendment, letters were sent to all property owners that own property where the zoning is recommended for change. In addition, all adjacent property owners and affected civic associations were notified by letter.

Recommendation

The majority of properties will not be affected by the zoning changes, as the new zoning is just a renaming will essentially confirm the existing zoning. For those properties that are changing, those changes were considered as part of public policy discussions of either a Master Plan or

Text Amendment. Staff therefore recommends approval of the application as submitted, for the reasons noted above.

/rjw

Attachments

1. Application Form
2. List of Properties to be rezoned
3. Pages from Town Center Master Plan
4. Proposed zoning maps